

REMARKS

Initially, Applicant expresses appreciation to the Examiner for the courtesies extended to Applicant's representative in the recent in-person interview. The amendments and remarks presented herein are generally consistent with those interview discussions. Accordingly, entry of this amendment and reconsideration of the pending claims is respectfully requested.

The Office Action, mailed June 1, 2007, considered claims 1-5, 36 and 38-49. Claims 1-5, 36 and 38-47 were rejected and claims 48 and 49 were objected to. Claims 1-5, 36, 37, 41-46 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sankuratripati* (U.S. Publ. No. 2002/0029267) in view of *Sugiarto* (U.S. Patent No. 6,278,449) and *Fano* (U.S. Publ. No. 2002/0133545), and further in view of *I'Anson* (U.S. Patent No. 6,760,046). Claims 38-40 were rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sankuratripati* in view of *Sugiarto*, *Fano*, and *I'Anson* and in further view of *Gerdes* (US Publ. No. 2003/0046541). Claim 47 was rejected under 35 U.S.C. § 103(a) as being unpatentable over *Sankuratripati* in view of *Sugiarto*, *Fano* and *I'Anson*, in further view of *Lee* (U.S. Publ. No. 2004/0117383).¹ Claims 48 and 49 were objected to as being dependent on a rejected base claim, but would otherwise be allowable if written in independent form.

By this paper, claims 1 and 49 have been amended, claim 48 cancelled, and claim 50 added. Accordingly, following this paper, claims 1-5, 36, 38-47, 49 and 50 are pending, of which claims 1 and 46 are the only independent claims at issue.

As discussed during the interview, Applicant's claims generally relate to templates for display on a mobile device, based at least in part on the current physical location of the user of the mobile device, and so as to deliver contextually relevant information to the user. As recited in claim 1, for example, a server receives information identifying a current physical location of a mobile device of a mobile user. The server also receives identification of the mobile user from the device. At the server, aggregate user preference data corresponding to user preferences or usage data is retrieved based on the received identification of the mobile user. The server selects from a plurality of available templates to obtain at least one template that is communicated to the mobile user's mobile device based on a determination of which templates are relevant according

¹ Although the prior art status of the cited art is not being challenged at this time, Applicant reserves the right to challenge the prior art status of the cited art at any appropriate time, should it arise. Accordingly, any arguments and amendments made herein should not be construed as acquiescing to any prior art status of the cited art.

to the aggregate user preference data, as well as the identified current physical location of the mobile device. Specifically, when the mobile device is within a home geographic region, the selected template includes a home template which includes a home icon. If, however, the mobile device is detected to be anywhere outside the home geographic region, the template is a traveling template that is configured to include content customized to whatever physical location is detected by the server, as well as a traveling icon. In this manner, the presentation format of the additional information is based on the aggregate user preference data and the current physical location of the mobile device.

While the cited references generally relate to displaying information on a computing system, the fail, whether alone or in combination, to disclose each of the elements of the claimed invention. For example, among other things, the cited references fail to disclose displaying respective home and traveling templates, based on the location of the mobile device, where each template has a corresponding icon indicating to the user which template is being used, as recited in combination with the other claim elements.

In particular, *I'Anson* discloses a user interface which adapts to a user's current situation. (Abstract). Specifically, a computing system includes a home-area interface and an away interface. (*Id.*) When a user connects to a network using a device, a determination is made which version of the home page to display to the user. (*Id.*) Thus, if a user is determined to be away from the home area, the away interface is displayed along with specific types of local data relevant to such location. (*Id.*)

Accordingly, while *I'Anson* discloses providing a home or away interface, it fails to disclose identifying to the user which interface is being used by using an icon representative of the particular template, as claimed in combination with the other claim elements. Furthermore, as acknowledged by the Office, *Sankuratipati*, *Sugiarto*, *Fano*, *Gerdes* and *Lee* are similarly deficient in this regard. (See Office Action, pp. 11 and 12)

In view of the foregoing, Applicant respectfully submits that the other rejections to the claims are now moot and do not, therefore, need to be addressed individually at this time. It will be appreciated, however, that this should not be construed as Applicant `regarding the cited art or the pending application, including any official notice. Instead, Applicant reserves the right to challenge any of the purported teachings or assertions made in the last action at any appropriate time in the future, should the need arise. Furthermore, to the extent that the Examiner has relied

on any Official Notice, explicitly or implicitly, Applicant specifically requests that the Examiner provide references supporting the teachings officially noticed, as well as the required motivation or suggestion to combine the relied upon notice with the other art of record.

In the event that the Examiner finds remaining impediment to a prompt allowance of this application that may be clarified through a telephone interview, the Examiner is requested to contact the undersigned attorney at (801) 533-9800.

Dated this 4th day of September, 2007.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Rick D. Nydegger".

RICK D. NYDEGGER
Registration No. 28,651
JENS C. JENKINS
Registration No. 44,803
COLBY C. NUTTALL
Registration No. 58,146
Attorneys for Applicant
Customer No. 047973

RDN:JCJ:CCN:gd
GD0000002032V001